Senate Study Bill 1103 - Introduced

SEN	ATE FILE
ВУ	(PROPOSED COMMITTEE ON
	HEALTH AND HUMAN SERVICES
	BILL BY CHAIRPERSON EDLER)

A BILL FOR

- 1 An Act relating to the dispensing of an epinephrine
- 2 auto-injector by a pharmacist without a prescription.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. ____

- 1 Section 1. <u>NEW SECTION</u>. **155A.49 Pharmacist dispensing of** 2 epinephrine auto-injectors without a prescription protocol —
- 3 immunity.
- 4 l. Notwithstanding any other provision of law to the
- 5 contrary, in accordance with a protocol developed pursuant
- 6 to this section, a pharmacist may dispense an epinephrine
- 7 auto-injector without a prescription to a person who is at
- 8 least eighteen years of age if the pharmacist has a record
- 9 of previously dispensing epinephrine to the person in
- 10 accordance with a prescription issued by a licensed health care
- 11 professional authorized to prescribe drugs.
- 12 2. A pharmacist who dispenses an epinephrine auto-injector
- 13 under this section shall do all of the following:
- 14 a. Provide instruction to the person to whom the epinephrine
- 15 auto-injector is dispensed to summon emergency services as
- 16 soon as practicable either before or after administering the
- 17 epinephrine.
- 18 b. Provide notice of the dispensing to the person's primary
- 19 care provider, if known, or to the prescriber who issued the
- 20 person the initial prescription for epinephrine.
- 21 3. A pharmacist may document the dispensing of an
- 22 epinephrine auto-injector on a prescription form for
- 23 recordkeeping purposes.
- 24 4. This section does not affect the authority of a
- 25 pharmacist to fill or refill a prescription for epinephrine.
- 26 5. A prescriber or pharmacist acting reasonably and in good
- 27 faith, in accordance and compliance with the protocol developed
- 28 under this section, shall not be subject to licensee discipline
- 29 or liable for any injury arising from the prescribing or
- 30 dispensing of an epinephrine auto-injector as provided in this
- 31 section.
- 32 6. The board of pharmacy in consultation with the board
- 33 of medicine shall develop the protocol to be applied under
- 34 this section and shall adopt rules pursuant to chapter 17A to
- 35 administer this section.

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1 7. For the purposes of this section, "epinephrine
2 auto-injector" and "licensed health care professional" mean the
3 same as defined in section 280.16.

4 EXPLANATION

- 5 The inclusion of this explanation does not constitute agreement with 6 the explanation's substance by the members of the general assembly.
- 7 This bill relates to the dispensing of epinephrine
- 8 auto-injectors by a pharmacist without a prescription.
- 9 The bill provides that in accordance with a protocol
- 10 developed under the bill, a pharmacist may dispense an
- 11 epinephrine auto-injector without a prescription to a person
- 12 who is at least 18 years of age if the pharmacist has a
- 13 record of previously dispensing epinephrine to the person in
- 14 accordance with a prescription issued by a licensed health care
- 15 professional authorized to prescribe drugs.
- 16 A pharmacist who dispenses an epinephrine auto-injector
- 17 under the bill shall provide instruction to the person to
- 18 whom the epinephrine auto-injector is dispensed to summon
- 19 emergency services as soon as practicable either before or
- 20 after administering the epinephrine and provide notice of the
- 21 dispensing to the person's primary care provider, if known,
- 22 or to the prescriber who issued the individual the initial
- 23 prescription for epinephrine. A pharmacist may document the
- 24 dispensing of an epinephrine auto-injector on a prescription
- 25 form for recordkeeping purposes. The bill does not affect the
- 26 authority of a pharmacist to fill or refill a prescription for
- 27 epinephrine.
- 28 A prescriber or pharmacist acting reasonably and in good
- 29 faith in accordance and compliance with the protocol developed
- 30 under the bill is not subject to licensee discipline or liable
- 31 for any injury arising from the prescribing or dispensing of an
- 32 epinephrine auto-injector under the bill.
- 33 The board of pharmacy in consultation with the board
- 34 of medicine shall develop the protocol and shall adopt
- 35 administrative rules to administer the bill.

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- 1 For the purposes of the bill, "epinephrine auto-injector"
- 2 means a device for immediate self-administration or
- 3 administration by another trained individual of a measured dose
- 4 of epinephrine to a person at risk of anaphylaxis and "licensed
- 5 health care professional" means a person licensed to practice
- 6 medicine and surgery or osteopathic medicine and surgery,
- 7 an advanced registered nurse practitioner, or a physician
- 8 assistant.